

## NOTICE OF EXEMPTION

**TO:**

- ☒ **Office of Planning and Research**  
1400 Tenth St.  
Sacramento, CA 95814
- ☒ **Siskiyou County Clerk**  
510 N. Main St.  
Yreka, CA 96097

**FROM:**

**Hornbrook Community Services District**  
14900 Hornbrook Rd.  
Hornbrook, CA 96044

**Project Title: Hornbrook Emergency Well Project**

**Project Location:**

As shown in **Figure 1**, the proposed project involves work at several locations in the community of Hornbrook, Siskiyou County, in Section 29, Township 47N, Range 6W, of the US Geological Survey's (USGS) Hornbrook 7.5' quadrangle. The project will be located on private properties with District easements in place.

**City:** Hornbrook (unincorporated)

**County:** Siskiyou

**Description of Nature, Purpose, and Beneficiaries of Project:**

The Hornbrook Community Service District (HCSD) provides water service to the unincorporated area of Hornbrook in northern Siskiyou County. HCSD owns and operates three wells (Wells 1, 2, and 4); one additional well (Well 3) was abandoned due to poor water quality. HCSD also owns and operates one storage tank (Tank 2), a water treatment facility, and water distribution lines.

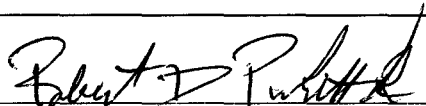
Tank 2 completely drained of water on July 14, 2021, despite all three active water supply wells running continuously. On July 16, 2021, a Declaration of Water Shortage Emergency was passed by the District Board of Directors that limited water consumption for water customers; however, the future reliability of the water supply is uncertain. The proposed project includes the conversion of a test well into a production well not to exceed 250 gallons per minute, and improvement of the existing wells, storage tank, and water treatment facility.

The test well conversion would include the following activities:

- Constructing a 10' x 10' building around the well
- Installing two power poles and electric lines to provide electric service to the new well house
- Minor grading to flatten the site and improve an existing 20-foot. access road to the proposed well house
- Installing aggregate base for the building foundation and support
- Installing an access gate on public road to restrict access to proposed well house
- Installing 20 feet of underground piping to connect the new well to the existing water main

Improvements to the existing system include in-depth inspection and repairs to ensure no leaks in the existing infrastructure. This would reduce the loss of water and reduce the potential for contamination in the water supply system. The wells, storage tank, and water treatment facility would be improved by upgrading and installing radio telemetry and Supervisory Control and Data Acquisition (SCADA) equipment. The radio telemetry and SCADA would provide up-to-date information on water levels and allow remote control of the system. Electrical service will be extended to Tank 2 from Well 4 by Pacific Power through means of new overhead power poles or, alternatively, the District would install an on-ground solar photovoltaic system with battery storage in the existing disturbed area around Tank 2.

All of these improvements are needed to continue to provide the Hornbrook Community Services District customers with clean water supply during the emergency water shortage. These customers would directly benefit from the proposed improvements.

<b>Name of Public Agency Approving Project:</b>	Hornbrook Community Services District
<b>Name of Agency Carrying out the Project:</b>	Hornbrook Community Services District
<b>Local Agency Contact Person:</b>	Robert Puckett, Board President (530) 598-9609
<b>Exempt Status: Statutory Exemption: Emergency Exemption per Section §15269(b)(c)</b>	
<b>Reason Why Project Is Exempt:</b>  <p>The 2021 drought conditions have contributed to a water shortage emergency that has severely disrupted the supply of water within the Hornbrook Community Services District. The conversion of a test well to a production well and the improvements to the existing system are needed to prevent total water service loss and further impacts to the health, safety, and welfare of the water users. Currently, water users are restricted to 200 gallons per day and must boil the water prior to consumption to ensure all potential water contaminants are rendered inactive. There is no certainty that the restriction of water use to 200 gallons per day will ensure continuous water access for the remainder of the year. The improvements would eliminate leaks in the existing system, reduce the potential for contamination, provide up-to-date information on water levels and allow water district staff to remotely respond if needed, and provide an additional source for clean drinking water. These improvements would prevent further decline of water supplies and avoid potential complete loss of water supplies.</p>	
<b>Signature:</b>  <b>Robert Puckett</b> Board President	<b>Date:</b> <u>9/20/21</u>
<b>Date Received for Filing at OPR:</b> _____	

**Attachments:**

- Figure 1: Project Location
- Figure 2: Proposed Well #5 Site Plan
- Attachment A: Declaration of Water Shortage Emergency Resolution





Path: N:\companyfiles\01-Jobs Active\032-78 PACE - Hornbrook Water



0 250 500 ft

# Hornbrook Emergency Well Project Project Location

All depictions are approximate. Not a survey product. 00.00.00

ENPLAN



Path: N:\companyfiles\01-Jobs Active\032-78 PACE - Hornbrook Water



0 25 50 ft



Hornbrook Emergency Well Project  
**Proposed Well #5 Site Plan**

All depictions are approximate. Not a survey product. 0.00.00

**ENPLAN**



## **HORNBROOK COMMUNITY SERVICES DISTRICT**

### **Resolution No. 2021-02** **Declaration of Water Shortage Emergency**

**WHEREAS**, drought conditions and water demand in the year 2021 have contributed to a water shortage emergency severely affecting and disrupting the supply of water within the Hornbrook Community Services District such that there is insufficient water for human consumption, sanitation, and fire protection unless emergency water conservation and restriction measures are implemented immediately; and

**WHEREAS**, Water Code Section 350 requires that the governing body of a distributor of a public water supply declare a water shortage emergency condition to prevail within the area served by such distributor whenever it finds and determines that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the distributor to the extent that there would be insufficient water for human consumption, sanitation, and fire protection; and

**WHEREAS**, the above described drought conditions and water demands have caused a failure to the District's ability to supply water and constitutes an emergency which requires immediate action to be taken; and

**WHEREAS**, pursuant to Water Code Section 351, under the current circumstances the failure of the District water supply qualifies the District to be exempt from causing notice of this Declaration of Water Shortage Emergency to be published in accordance with applicable statutory requirements set forth at Water Code Section 352 and the public hearing process set forth at Water Code Section 351; and

**WHEREAS**, Water Code Section 353 states that when the governing body has so determined and declared the existence of an emergency condition of water shortage within its service area, it shall thereupon adopt such regulations and restrictions on the delivery of water and the consumption within said area of water supplied for public use as will in the sound discretion of such governing body conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection; and

**WHEREAS**, Water Code Section 354 states that after allocating and setting aside the amount of water which in the opinion of the governing body will be necessary to supply water needed for domestic use, sanitation, and fire protection, the regulations may establish priorities in the use of water for other purposes and provide for the allocation, distribution, and delivery of water for such other purposes, without discrimination between consumers using water for the same purpose or purposes; and

**WHEREAS**, Water Code Section 355 states that such regulations and restrictions shall thereafter be and remain in full force and effect during the period of the emergency and until the supply of water available for distribution within such area has been replenished or augmented; and

**WHEREAS**, Water Code Section 356 states that such regulations and restrictions may include the right to deny applications for new or additional service connections, and provision for their enforcement by discontinuing service to consumers willfully violating the regulations and restrictions; and



**WHEREAS**, Water Code Section 357 states that if the regulations and restrictions on delivery and consumption of water adopted pursuant to the above mentioned Water Code Sections conflict with any law establishing the rights of individual consumers to receive either specific or proportionate amounts of the water supply available for distribution within such service area, the regulations and restrictions adopted pursuant to said Water Code Sections shall prevail over the provisions of such laws relating to water rights for the duration of the period of emergency .

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE HORN BROOK COMMUNITY SERVICES DISTRICT AS FOLLOWS:

1. That the foregoing recitals are true and correct and are incorporated by this reference as fully set forth herein.
2. The Board of Directors finds and determines, pursuant to Water Code Section 350, that the ordinary demands and requirements of water consumers cannot be satisfied without depleting the water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.
3. The Board of Directors finds and determines, pursuant to Water Code Section 351, that the District's water supply has failed and there exists an immediate emergency to the water supply of the District to the extent that there is insufficient water for human consumption, sanitation, and fire protection and that a such an immediate emergency exempts the District from the noticed published hearing process set forth at Water Code Sections 351 & 352.
4. The Board of Directors declares a Water Shortage Emergency for the year 2021, to take effect immediately upon adoption of this Resolution.
5. The Board of Directors is hereby authorized to adopt such regulations and restrictions on the delivery of water and the consumption within the District of water supplied for public use as will in the sound discretion of such governing body to restrict and conserve the water supply for the greatest public benefit with particular regard to domestic use, sanitation, and fire protection, pursuant to Water Code Section 353.
6. The Board of Directors finds and determines that due to the failure of a reliable water supply to the District, the following restrictions shall immediately apply:
  - a. All residential water users shall be restricted to 200 gallons of water per household per day. The District Board of Directors reserves the right to make further adjustments as needed to protect the health and safety of the public.
  - b. No new water service connections or commitments for new water service shall be put in place.
  - c. Outdoor watering is prohibited, including watering and irrigation of any landscaping, gardens, plants, shrubs, trees, ground cover, turf, grass, and lawn.



- d. No new or expanded landscaping, gardens, planting of trees, shrubs, plants, ground cover, turf grass shall be planted, hydroseeded, or laid.
- e. The use of running water from a hose, pipe, or faucet for the purpose of cleaning buildings and outdoor hardscape surfaces is prohibited.
- f. Filling pools and spas is prohibited.
- g. The operation of, and introduction of water into, ornamental fountains is prohibited.
- h. Washing of boats, vehicles, and equipment shall be prohibited.
- i. Operators of hotels, motels, restaurants and other commercial establishments shall post notice at their establishment or work site a notice of water shortage emergency and shall serve water only upon request.
- j. During this declared water shortage emergency the District shall impose other or further regulations, which the District Board of Directors determines to be necessary to ensure that water supply is used only to meet public health and safety needs.
- k. In the event that the District observes that water use is in violation of these Declaration of Water Shortage Emergency regulations is occurring at a customer's premises, the District may, after a written warning to the customer, authorize installation of a flow-restricting device on the service line for any customer observed by the District to be willfully violating any of the regulations and restrictions on water use set forth in this Declaration of Water Shortage Emergency. In the event that a further willful violation is observed by the District, the District may discontinue service. Charges for the installation of flow-restricting devices or restoring service may be fixed by the District Board of Directors from time to time.
- l. Water waste, as defined below in Section 6(m) of this Declaration of Water Shortage Emergency, is prohibited.
- m. "Water waste" means:
  - i. Residential water use that exceeds the 200 gallons per household per day limit set above at Section 6(a) of this Declaration of Water Shortage Emergency.
  - ii. Water use that violates any water restriction set forth in this Declaration of Water Shortage Emergency.
  - iii. Causing or permitting excessive water to discharge, flow, or run to waste into any drain, gutter, sanitary sewer, watercourse, or storm drain, or to any adjacent property, from any tap, hose faucet, pipe,



- ii. Water use that violates any water restriction set forth in this Declaration of Water Shortage Emergency.
- iii. Causing or permitting excessive water to discharge, flow, or run to waste into any drain, gutter, sanitary sewer, watercourse, or storm drain, or to any adjacent property, from any tap, hose faucet, pipe,

sprinkler, or nozzle. In the case of irrigation, "discharge," "flow," or "run to waste" means that the earth intended to be irrigated has been saturated with water to the point that excess water flows over the earth to waste.

- iv. Allowing water fixtures or heating or cooling devices to leak or discharge excessively.
- v. Backwashing so as to discharge to waste from swimming pools, decorative basins or ponds in excess of the frequency necessary to ensure the healthful condition of the water or in excess of that required by standards for professionally administered maintenance or to address structural considerations.
- vi. Operation of an irrigation system that applies water to an impervious surface or that is in disrepair.
- vii. Outdoor watering or irrigation of landscaping.
- viii. Any other factors as determined by the District Board of Directors.

7. If any provision of this Declaration of Water Shortage Emergency is held illegal or unenforceable in a judicial proceeding, such provision shall be severed and shall be inoperative, and the remainder of this Declaration of Water Shortage Emergency shall remain operative and binding.

Passed and adopted by the Board of Directors of the Hornbrook Community Services District at their meeting held on this 16<sup>th</sup> day of July 2021, by the following vote:

AYES: Puckett, Mellon, Tullado, HANSON

NOES: 0

ABSENT: I. DUNCAN

  
President of the Board

ATTEST:

  
Secretary of the Board